

**JANUARY 5, 2009
REGULAR COUNCIL MEETING
PARMA CITY HALL COUNCIL CHAMBER
6:30 P.M.**

The Regular Council Meeting was called to order by President of Council Charles M. Germana presiding.

COUNCIL MEMBERS PRESENT:	LARRY NAPOLI KENNETH RAMSER TOM REGAS SCOTT M. TUMA SEAN P. BRENNAN NICHOLAS J. CELEBREZZE BRIAN DAY MARY GALINAS ROY J. JECH
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Mr. Mastroianni – Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council Members present. The following officials and department heads were also present: Mayor Dean DePiero, Law Director Timothy Dobeck, Auditor Dennis Kish, Treasurer Anthony C. Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jack Marschall, Recreation Commissioner Mickey Vittardi, Senior Citizen Director Jo Ann Mason, Community Development Director Erik Tollerup, Chief of Staff Meghann McCall, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky and Clerk of Council Tom Mastroianni

INVOCATION

The Invocation was given by Clerk of Council Tom Mastroianni.

**PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG Led by Eagle Scout Scott
Andrew Jenkins**

VOICE VOTE:

	RESOLUTION NO. 372-08	1/5/09	L-372-08
BY:	N. CELEBREZZE , S. BRENNAN, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI, K. A. RAMSER, T. REGAS, S. TUMA		

**A RESOLUTION HONORING JUDY SABOL CITIZEN OF
THE MONTH – JANUARY, 2009**

Motion made by Councilman Jech seconded by Councilman Day to adopt Resolution No. 372-08. Motion carried.

Mayor DePiero – Presented a Proclamation to Judy Sabol and a Key to the City.
Councilman Celebrezze – Presented the Resolution as well as certificates and congratulated her.

RESOLUTION NO. 373-08 1/5/09 L-373-08
BY: **B. DAY**, S. BRENNAN, N. CELEBREZZE, M. GALINAS, R. J. JECH,
 L. NAPOLI, K. A. RAMSER, T. REGAS, S. M. TUMA

A RESOLUTION HONORING SCOTT ANDREW JENKINS ON
ATTAINING THE RANK OF EAGLE SCOUT

Motion made by Councilman Jech seconded by Councilman Day to adopt
Resolution No. 373-08. Motion carried.

Councilman Day – Presented the Resolution and certificates to Andrew Jenkins
and congratulated him.

Mayor DePiero – Presented a Proclamation to Andrew and congratulated him.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Germana – Stated we have the Minutes from the Regular Council Meeting
held on December 1, 2008. Corrections were made to the minutes. Are there any other
additions or corrections to these Minutes? Hearing none, the Minutes will stand
approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Notice received from the Ohio Division of Liquor Control for a transfer of a C1, C2
Permit from Singh PHP, Inc., 6630 Ridge Road, Parma, Ohio 44129, to True North
Energy LLC, dba True North 348, 6630 Ridge Road, Parma, Ohio 44129. Mailed on
December 22, 2008. Responses must be postmarked no later than January 22, 2009.

Mr. Germana – Copy of said liquor permit will be referred to the Safety Director
and Ward Council.

FIRST READING:

RESOLUTION NO. 4-09 1/5/09 L-4-09
BY: R. J. JECH
 (By Request – City Engineer)

A RESOLUTION TO APPROVE AND ADOPT THE EQUALIZATION
BOARD REPORT FOR SANITARY SEWER IMPROVEMENTS FOR
GRANTWOOD DRIVE, SOUTH PARK BOULEVARD, WEST
RIDGEWOOD DRIVE AND BROADVIEW ROAD AT RUSTIC
TRAIL, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 5-09

1/5/09

L-5-09

BY: R. J. JECH
(By Request – City Engineer)

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF GRANTWOOD DRIVE, SOUTH PARK BOULEVARD, WEST RIDGEWOOD DRIVE AND BROADVIEW ROAD AT RUSTIC TRAIL IN THE CITY OF PARMA, OHIO, BY CONSTRUCTING SANITARY SEWERS, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 6-09

1/5/09

L-6-09

BY: S. M. TUMA
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH URS CORPORATION FOR A DEVELOPMENT PLAN FOR A MULTI-PURPOSE TRAIL ALONG FIRST ENERGY'S AVON-JUNIPER HIGH TENSION TRANSMISSION LINES AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 7-09

1/5/09

L-7-09

BY: S. TUMA
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH TRIDENT INSURANCE SERVICES, A SUBSIDIARY OF THE ARGONAUT INSURANCE GROUP, THROUGH GOVERNMENTAL UNDERWRITERS OF AMERICA, INC., FOR MUNICIPAL EXCESS LIABILITY INSURANCE FOR THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 8-09

1/5/09

L-8-09

BY: S. TUMA
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH TRIDENT INSURANCE SERVICES, A SUBSIDIARY OF THE ARGONAUT INSURANCE GROUP THROUGH GOVERNMENTAL UNDERWRITERS OF AMERICA, INC., FOR SPECIAL MULTI-PERIL INSURANCE INCLUDING CONTENTS AND BOILERS, AND DECLARING AN EMERGENCY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT FOR THE ESTABLISHMENT OF THE MID-CUYAHOGA
REGIONAL COMMUNICATIONS NETWORK COUNCIL OF GOVERNMENTS,
AND DECLARING AN EMERGENCY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TUCKER ELLIS & WEST LLP FOR THE PURPOSES OF MANAGEMENT AND COORDINATION OF THE RADIO COMMUNICATION WORKING GROUP WHICH WORKS TO ESTABLISH, EXPAND, AND MARKET THE CITY'S INTEROPERABLE PUBLIC SAFETY COMMUNICATION SYSTEM, AND DECLARING AN EMERGENCY

AN ORDINANCE TO AMEND SECTION 185.05 (b) "FEES OF THE
DIRECTOR OF PUBLIC SERVICE" OF THE CODIFIED ORDINANCES
OF THE CITY OF PARMA, RELATIVE TO FEES FOR THE RIDGEWOOD
MUNICIPAL GOLF COURSE, AND DECLARING AN EMERGENCY

ORDINANCE NO. 366-08 12/29/08 L-366-08

BY: S. BRENNAN
(By Request – Community Services and Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE, OR HIS AUTHORIZED REPRESENTATIVE TO RENEW THE CONTRACT WITH SALVATORE CONSIGLIO, CPA, INC., FOR THE PREPARATION OF VARIOUS DETAILED FINANCIAL REPORTS ON A MONTHLY BASIS AND FEDERAL CASH TRANSACTION REPORTS ON A QUARTERLY BASIS TO BE FILED WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE DEPARTMENT OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT FOR THE PERIOD OF FEBRUARY 1, 2009, THROUGH JANUARY 31, 2010, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 366-08 back to the Finance Committee. Motion carried.

ORDINANCE NO. 374-08 12/29/08 L-374-08

BY: S. M. TUMA
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR STATE LEVEL CONSULTING SERVICES FOR THE CITY, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 374-08 back to the Finance Committee. Motion carried.

THIRD READING:

ORDINANCE NO. 329-08 11/17/08 L-329-08

BY: M. GALINAS
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE RENOVATION OF THE KITCHENS AT FIRE STATIONS 4 AND 5 IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be held on Third Reading.

ORDINANCE NO. 345-08 12/1/08 L-345-08
BY: S. BRENNAN, M. GALINAS, L. NAPOLI, K. RAMSER, T. REGAS,
S. M. TUMA, N. CELEBREZZE, B. DAY, R. J. JECH

AN ORDINANCE TO REPEAL CHAPTER 664 "SECONDHAND PRECIOUS METALS AND STONES DEALERS" AND ENACT A NEW CHAPTER 626 "JUNK DEALERS, PAWNBROKERS, AND SECOND HAND DEALERS"; TO REPEAL CHAPTER 739 "JUNK DEALERS" AND ENACT A NEW CHAPTER 739 "JUNK DEALERS, PAWNBROKERS, AND SECONDHAND DEALERS"; AND TO AMEND A PORTION OF SUBSECTION (c) "BUSINESS REGULATION CODE" OF SECTION 185.04 "FEES OF THE DIRECTOR OF PUBLIC SAFETY" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 345-08.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech.
No: None; Ordinance No. 345-08 is adopted.

ORDINANCE NO. 349-08 12/15/08 L-349-08
BY: M. GALINAS, L. NAPOLI, K. RAMSER, T. REGAS, S. M. TUMA, S. P. BRENNAN,
N. CELEBREZZE, B. DAY, R. J. JECH
(By Request – Safety Director)

AN ORDINANCE TO ENACT CHAPTER 718 "CONCESSIONS, CARNIVALS, AND FAIRS"; TO AMEND SECTION 767.01 "DEFINITION" OF CHAPTER 767 "PUBLIC OUTDOOR SHOWS"; AND TO AMEND A PORTION OF SUBSECTION (c) "BUSINESS REGULATION CODE" OF SECTION 185.04 "FEES OF THE DIRECTOR OF PUBLIC SAFETY" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 349-08.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech.
No: None; Ordinance No. 349-08 is adopted.

ORDINANCE NO. 354-08 12/15/08 L-354-08
BY: M. GALINAS
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH COX BUSINESS SERVICES FOR A HIGH BANDWIDTH INTERNET, AND DECLARING AN EMERGENCY

Mayor – Asked that this Ordinance be held on Third until a Board of Control Recommendation can be forwarded to Council.

Mr. Germana – Said Ordinance will be held on Third Reading.

LEGISLATION TO BE RECONSIDERED:

ORDINANCE NO. 360-08 12/15/08 L-360-08

BY: S. M. TUMA
(By Request – Clerk of Court)

AN ORDINANCE AUTHORIZING THE CLERK OF COURT TO
ENTER INTO A CONTRACT WITH INNOVARE SOLUTIONS,
LLC, FOR SOFTWARE SUPPORT FOR 2009 FOR THE PARMA
JUSTICE CENTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to Reconsider Ordinance No. 360-08.

Mayor DePiero – Asked that this be Reconsidered because when Council did pass the legislation a Board of Control recommendation was not forwarded to Council at that time.

Motion made by Councilman Jech seconded by Councilman Day to adopt Ordinance No. 360-08.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech.

No: None; Ordinance No. 360-08 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Councilman Ramser – Stated that Appointment Scanning Committee met to consider the following appointments and reappointments:

Appointment of Colleen Corrigan Day to the Design Review Board. The term shall be effective January 16, 2009, and run through January 15, 2011.

Reappointment of Dean DePiero and Curtis Smock to the Design Review Board. The term would extend from January 16, 2009, and run through January 15, 2011.

Motion made by Councilman Ramser seconded by Councilman Day to grant the appointments as recommended by the Appointment Scanning Committee. Motion carried.

PUBLIC SESSION

Chester Withrow, 6050 Westminster Drive – Regarding the smoking ban at Chevybrook Estates, are there non smoking units mixed in with the smoking units? Also, how will this be enforced and what are the penalties if they are caught smoking in the units. Stated he doesn't understand grandfathering on smoking. If you are a non smoker and you are eliminating smoking from these units, then it should follow all the way across the board. What is to prevent the smoke from going back inside the unit when you are smoking on the patio?

MISCELLANEOUS BUSINESS

Mayor DePiero – Stated that currently there is no restrictions against smoking in the units at Chevybrook Estates. The enforcement mechanism could be removal. So, those who violate the smoking ban could be removed as a penalty from the housing

unit. The reason for grandfathering, as opposed to making it a blanket across the board, is that we felt it would be fair. We thought it would be intrusive on the residents to change the rules in mid stream. For any new residents coming in they will know the rules going in. Stated that currently there are no non smoking and smoking units.

Stated he is happy to announce that as of this morning, the City of Parma Radio System is now Peak 25 compliant . Due to the investment that Council has made over the last couple of years, our communication systems are now what they should be. Our radios can now talk to each other, and we are working with surrounding communities to make that a reality. Wanted to thank Council for that.

Stated that the new name "The Donna Smallwood Activity Center and Office on Aging" is now on the building. They are waiting on a new vehicle, an 11 passenger van, that they received from an Ohio Department of Transportation Grant that will be delivered in April. They are planning a Re-Dedication of the building and the dedication of the van when the weather is better.

Stated that next week at the Finance Committee, his office, the Treasurer's Office and Auditor's Office would like to make a brief presentation to Council with regard to the 2008 finances and 2009 finances. Stated that the City budget needs to be passed by March 31st. They are currently putting together the budget sheets. They are hoping to have their first budget hearings on February 2nd.

Safety Director Baeppler – Thanked Council for their support with the legislation making us 25 compliant. Thanked Council for the passage of the two ordinances regarding junk dealers and carnivals, etc. Stated they will be a good tool for the Police Department use.

Service Director – No comment.

Treasurer – No comment.

Law Director Dobeck – Wanted to congratulate the Mayor on his appointment to President of the Ohio Municipal League. Stated that it is remarkable that our Mayor is the president of a statewide organizational large lobbying group that presents training for public officials and does great things for the City.

Thanked the Council Clerk and Council Staff for the year end social. Happy New Year.

Auditor Kish – No comment.

Councilman Jech – Made a motion to eliminate the Round Robin this evening. Councilman Day seconded the Motion. Motion carried.

Councilman Jech – Wanted to let everyone know that Mr. Drabek is scheduled for surgery on January 20th.

Mr. Germana – Stated that the next Committee Meeting will be next Monday at 7 P.M.

ADJOURNMENT

Motion made by Councilman Jech seconded by Councilman Day to adjourn the Regular Council Meeting. Motion carried.

C E R T I F I C A T I O N

I, Thomas Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, January 5, 2009.

THOMAS MASTROIANNI
CLERK OF COUNCIL

CHARLES M. GERMANA
PRESIDENT OF COUNCIL

Meeting adjourned at 6:58 P.M.

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